



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
Michigan Occupational Safety & Health Administration
(MIOSHA)

ROBERT W. SWANSON
ACTING DIRECTOR

MIOSHA ERGONOMICS STANDARD ADVISORY COMMITTEE MEETING MINUTES

**February 22, 2006—9:30 a.m.
General Office Building—7150 Harris Drive
State Secondary Complex—Lansing**

PRESENT:

LABOR

Don Barnes	Verius	Consultant
Andrew Comai	International United Auto Workers Union (UAW)	Industrial Hygienist, Bargaining Committee, Executive Board Member
Sande MacLeod	United Food and Commercial Workers - Local 951	Executive Vice President

MANAGEMENT

John Bavin	Michigan Chamber of Commerce and Consumers Energy	Corporate Industrial Hygienist
Ronald Henderson	Tower Automotive	Global Environmental, Health and Safety Manager
Mark Spence	Dow Chemical Company	Manager of North American Health and Safety Regulatory Affairs

PUBLIC

Sheryl Ulin	University of Michigan-Center for Ergonomics	Senior Research Associate Engineer
George Vondrak	Blue Cross Blue Shield of Michigan	Risk Management Consultant

GENERAL INDUSTRY SAFETY AND OCCUPATIONAL HEALTH STANDARDS COMMISSION LIAISON

Tycho Fredericks	Western MI Univ. Assoc. Prof. & Co-Director Human Performance Institute, Dept. of Industry & Mfg. Engr.	General Industry Safety Standards Commissioner
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MIOSHA STAFF

Marsha Parrott-Boyle	Standards Section	Program Manager
Eva Hatt	General Industry Safety & Health Division	Safety & Health Manager
Christine Hundt	Standards Section	Analyst
Douglas Kalinowski	MIOSHA Administration	Director
Bart Pickelman	General Industry Safety & Health Division	Ergonomics Specialist

NOT PRESENT:

LABOR

Derrick Quinney	Michigan State AFL-CIO	Safety and Health Director	Excused
Margaret Robinson	Service Employees International Union - Local 79	Hospital Division Director	Excused

MANAGEMENT

David Herbel	Michigan Assoc. of Homes & Services for the Aging	Regulatory Services Director	Excused
Bradley Joseph	Ford Motor Company	Corporate Ergonomics and Safety Process Manager	Excused
Dee Tyler	Michigan Health & Hospital Association	Director, Medical Management	Excused

TECHNICAL ADVISOR

Teresa Bellinger	Haworth, Inc.	Corporate Ergonomist	Excused
Susan Howe	Society of the Plastics Industry, Inc.	Senior Technical Director, Worker and Product Safety	Excused

PUBLIC VISITORS:

Jeannine Benedict	DLEG, Policy & Legislative Affairs
David Cwynar	DAC Physical Therapy
Dennis Emery	GISSC Member
Marie Martinko	SPI
George Reamer	GISSC Member

MIOSHA ERGONOMICS STANDARD ADVISORY COMMITTEE MISSION STATEMENT

The Ergonomics Standard Advisory Committee will pursue a consensus to draft a standard for presentation to the Commissions that would define a minimal process to recognize, evaluate, and where feasible, reduce risk factors that may contribute to work-related musculoskeletal disorders.

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Agenda Item #1—Call to Order and Roll Call

The February 22, 2006 MIOSHA Ergonomics Standard Advisory Committee meeting was called to order by Co-Chairperson Sheryl Ulin. A quorum of advisory committee members was present.

Agenda Item #2—Approval of Minutes for January 25, 2006 Meeting

A motion was made by George Vondrak and seconded by Sande MacLeod to approve the minutes of the January 25, 2006 advisory committee meeting with the following change: In the heading "Agenda Item #5--Scope and Application--Presentation by Ron Henderson" delete "Presentation by Ron Henderson." **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3—MIOSHA Update

Mr. Kalinowski reviewed the status of House Bill No. 5447. On February 3, the Governor vetoed and returned with objections Enrolled House Bill 5447. The Governor stated that House Bill 5447 would prematurely terminate the work of the Ergonomics Standard Advisory Committee. Furthermore, the Governor defended the Executive Branch from encroachment. If the Ergonomics Standard Advisory Committee and MIOSHA Standards Commissions determine that administrative rules are needed in this area, and the Executive Branch concurs, the Administrative Procedures Act of 1969 affords ample opportunity for legislative review and reaction.

Agenda Item #4—Review Draft #13 Dated January 25, 2006

The committee reviewed and discussed changes made in Draft #13 dated January 25, 2006.

Agenda Item #5—Scope and Application

Ron Henderson tried to obtain additional statistical information with the possible limitation of the scope; however, the Bureau of Labor Statistics (BLS) sent him the same information that they had given him previously. Therefore, he had no new information to share with the committee.

Marsha Parrott-Boyle spoke to how BLS gathers musculoskeletal disorder data from Michigan as well as the nation. BLS canvassed last year 7,700 Michigan companies. The national BLS office selected those companies. It is totally random, but they do make some adjustment of being sure that the industries that they know to be in a region or state are reflected. They do try to get a mix of different employee size companies; but they do not sort by size. BLS does not use any data collected by Michigan OSHA enforcement in their reports.

The committee members and staff discussed in detail the scope and application section and where it would be appropriate in the standard to have a "Grandfather Clause." The following changes were made to draft #13:

In Section A (1), the language "**and do not already have an effective established ergonomic program**" was deleted from the draft.

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In Section C, subsection (4) was added with the language, "**Employers with an effective ergonomic program established and documented by the effective date of these rules are exempt from the rules in this section.**"

In Section D, subsection (2) was added with the language, "**Employers with an effective ergonomic program established and documented by the effective date of these rules are exempt from the rules in this section.**"

At the next meeting, the committee will continue their discussion of limitations of the scope. Staff will research information on the next level breakdown of incidence rates. The committee also asked that the Commission "criteria for an ergonomic standard" be distributed and discussed.

Agenda Item #6—Work on Appendices

Tabled for a future meeting.

Agenda Item #7—Next Meeting

The next meeting is scheduled for March 22, 9:30 a.m., General Office Building, 7150 Harris Drive, Lansing - Conference Room B.

Agenda Item #8—Public Comment

Dennis Emery stated that he thought the committee is made up of a good selection of people and that he is impressed with the group. He also commented that if this group can't come up with a draft ergonomics standard, nobody can.

Agenda Item #9—Adjournment

With no further business before the advisory committee, the meeting was adjourned.

****Minutes were reviewed and approved at the April 26, 2006 meeting.****